## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of Lim

Serial No.: 10/763,115

Filed: January 22, 2004

For: Expanding Interbody Implant and Articulating Inserter and Method

Docket No: PC883.00/4906-017

PATENT PENDING

Examiner: David C. Comstock

Group Art Unit: 3733

Confirmation No.: 6097

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] I hereby certify that this correspondence is being:
deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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November 18, 2009 France Soft
Date Pam Burton
This correspondence is being:
⊠ electronically submitted via EFS-Web

## **RESPONSE TO OFFICE ACTION**

This paper is being filed in response to the Office Action mailed August 18, 2009.

Reconsideration is respectfully requested in light of the amendments and remarks below. While

no fees should be required for entry of this response, if any fees or charges are required, the

Office is hereby authorized to charge them to Deposit Account 132546.